



WEST VIRGINIA REGISTER

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CHRONOLOGICAL INDEX, VOLUME XXVIII ISSUE 18**NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK**

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>HEARING/COMMENT PERIOD/LOCATION</u>
Higher Education Policy Commission (133-11)	Submission of Proposals for Academic Programs and the Monitoring and Discontinuance of Existing Programs Procedural	§§18B-1-6 and 18B-1B-4	Written Comments Only June 2, 2011, 5:00 pm Higher Education Policy Commission Attention: Dr. Brian Noland, Chancellor 1018 Kanawha Blvd. East, Suite 700 Charleston, WV 25301

NO NEW EMERGENCY RULES WERE FILED THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>EFFECTIVE DATE</u>	<u>DATE NOTICE FOR HEARING</u>

MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Administration, Department of <i>Committee for the Purchase of Commodities and Services from the Handicapped</i>	3/3/2011	Contact Cedric Greene at (304)559-4331	May 18, 2011 10:00 AM Due to renovations please contact Cedric Greene for location.
Administration, Department of <i>Committee for the Purchase of Commodities and Services from the Handicapped</i>	3/3/2011	Contact Cedric Greene at (304) 558-4331 for agenda.	May 18, 2011 10:00 AM Contact Cedric Greene at (304) 558-4331
Barbers and Cosmetologists, Board of <i>Continuing Education Committee</i>	4/19/2011	to discuss con. ed. providers, process, and other information pertaining to con. ed.	May 11, 2011 11:00 AM 1201 Dunbar Avenue Dunbar, WV 25064
City Hospital, Inc <i>Medical Staff Executive Committee</i>	4/22/2011	To Conduct Business	May 13, 2011 12:00 PM 8th Floor Boardroom
Commerce <i>Coal Mine Health and Safety Board</i>	4/28/2011	Regular monthly meeting	May 11, 2011 8:00 AM Days Hotel Conference Center Flatwoods, (Sutton), WV
Commerce <i>Diesel Equipment Commission</i>	4/28/2011	Regular meeting to act upon previously submitted diesel equipment packages.	May 11, 2011 10:00 AM Days Hotel Conference Center Flatwoods, (Sutton) WV
Commerce <i>Diesel Equipment Commission</i>	4/29/2011	Regular meeting. Will review previously submitted diesel packets.	May 11, 2011 10:00 AM Days Inn Hotel & Conference Center Sutton (Flatwoods), WV
Commerce <i>Diesel Equipment Commission</i>	4/29/2011	Regular meeting. Will review previously submitted diesel packets.	May 11, 2011 10:00 AM Days Inn Hotel & Conference Center Sutton (Flatwoods), WV
Consolidated Public Retirement Board <i>CPRB Computer Update Committee</i>	5/2/2011	To conduct regular business.	May 16, 2011 1:00 PM 4101 MacCorkle Avenue, SE Charleston, WV 25304
Deaf and Hard of Hearing, Commission for the	4/27/2011	Quarterly Board Meeting	May 12, 2011 1:00 PM Fairmont State University, Fairmont Hardway Hall, Room 219

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Early Childhood Advisory Council of WV <i>Research and Data Committee</i>	4/25/2011	Regular Business	May 13, 2011 2:30 PM Higher Education Policy Commission President's Conference Room 1018 Kanawha Blvd., E Charleston, WV 25301
Eastern WV Community & Technical College <i>Board of Governors</i>	5/2/2011	Regular meeting of the Board of Governors.	May 18, 2011 12:00 PM 316 Eastern Drive Moorefield, WV 26836
Education	4/18/2011	The West Virginia Board of Education will meet to conduct routine business remaining from the May 11, 2011, agenda. This meeting will be cancelled if the agenda is completed on May 11, 2011. The May 11, 2011, agenda will be posted at http://wvde.state.wv.us at least three business days prior to the meeting.	May 12, 2011 9:00 AM Capitol Building 6, Room 353 1900 Kanawha Boulevard, East Charleston, West Virginia
Education	4/18/2011	The West Virginia Board of Education will meet to conduct routine business. The agenda for this meeting will be posted at http://wvde.state.wv.us at least three business days prior to the meeting. NOTICE: If the agenda for this meeting is not completed on May 11, 2011, the agenda will resume on May 12, 2011.	May 11, 2011 9:00 AM Capitol Building 6, Room 353 1900 Kanawha Boulevard, East Charleston, West Virginia
Environmental Protection, Department of <i>Carbon Dioxide Sequestration Working Group</i>	4/4/2011	Regularly scheduled meeting to further study the scientific, technical, legal, and regulatory issues surrounding the underground sequestration of carbon dioxide.	May 18, 2011 9:00 AM Department of Environmental Protection 601 57th Street, SE Charleston, WV 25304
Environmental Protection, Department of <i>Carbon Dioxide Sequestration Working Group</i>	5/3/2011	The purpose of the meeting is to discuss the legal, technical, and feasibility issues surrounding the underground injection / sequestration of carbon dioxide, per W. Va. Code 22-11A-6.	May 18, 2011 9:00 AM DEP Headquarters 601 57th Street, SE Charleston, WV 25304
Environmental Protection, Dept. of <i>Special Reclamation Fund Advisory Council</i>	2/11/2011	Special Reclamation Advisory Council Quarterly Meeting	May 11, 2011 10:00 AM Dept. of Environmental Protection Room 3001 601 57th Street Charleston, WV 25304

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MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Film Office, West Virginia <i>Film Credit Development Committee</i>	5/2/2011	Call to Order; Approval of March 16, 2011 Minutes; Review of Applications (Executive Session); Return to Open Session (vote on applications); New Business; Old Business; Adjourn	May 16, 2011 10:30 AM WV Division of Tourism Conference Room 90 MacCorkle Ave, SW South Charleston, WV 25303
Health Care Authority <i>Board Meeting</i>	4/28/2011	Grants; Assessment Update and Routine Business	May 11, 2011 11:00 AM HCA's Large Conference Room Dee Drive
Highways	4/5/2011	The West Virginia Recreational Trail Advisory Board will meet to rank the FY2011 Recreational Trail Program grant applications.	May 14, 2011 8:30 AM Room A-122, Building 6 State Capitol Complex Charleston, WV
Investment Management Board, West Virginia <i>Legal Committee Meeting</i>	4/27/2011	Call to Order and Roll Call; Approval of Minutes; Hear Litigation Report; Consider Policy on Confidentiality Orders in Litigation; Consider Legal Committee charter; International Litigation Presentation; Unfinished Business; New Business; Adjournment	May 18, 2011 2:00 PM West Virginia Investment Management Board 500 Virginia Street, East - Suite 200 Charleston, WV 25301
Investment Management Board, WV <i>Personnel Committee</i>	5/4/2011	AGENDA: Call to order; approval of minutes; executive evaluation process; executive compensation; unfinished business; new business; adjournment.	May 18, 2011 2:00 PM West Virginia Investment Management Board 500 Virginia Street, East - Suite 200 Charleston, WV 25301
Investment Management Board, WV <i>Audit Committee</i>	5/4/2011	AGENDA: Call to order; approval of minutes; consider budget for fiscal year 2012; consider Internal Audit Plan for fiscal year 2012, internal audit report; internal audit review; unfinished business; new business; adjournment	May 18, 2011 4:30 PM West Virginia Investment Management Board 500 Virginia Street, East - Suite 200 Charleston, WV 25301
Investment Management Board, WV <i>Organizational Governance Committee</i>	*4/28/2011	AGENDA: Call to order; Approval of minutes; Approval of Board's Self-Evaluation Process; Unfinished Business; New Business; Adjournment	May 4, 2011 10:00 AM West Virginia Investment Management Board 500 Virginia Street, East - Suite 200 Charleston, WV 25301
Investment Management Board, West Virginia <i>Organizational Governance Committee Meeting</i>	5/2/2011	Emergency Meeting. Agenda: Call to order; approval of minutes; approval of board's self-evaluation process; unfinished business; new business; adjournment	May 4, 2011 10:00 AM West Virginia Investment Management Board 500 Virginia Street, East - Suite 200 Charleston, WV 25301
Jobs Investment Trust Board	4/8/2011	To act upon any and all business which might properly come before a regular meeting of the Board of Directors of the JIT Board.	May 11, 2011 1:30 PM WV Housing Development Fund Conf. Room 814 Virginia Street, East Charleston, WV 25301

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Kanawha County Solid Waste Authority	5/3/2011	Regular monthly meeting	May 18, 2011 10:00 AM Kanawha County Solid Waste Authority 600 Slack Street Charleston WV
Kyova Interstate Planning Commission <i>Policy Meeting</i>	4/19/2011	Quarterly Policy Meeting	May 13, 2011 12:00 PM Wesvanawha Building 825 4th Avenue Huntington, WV 25701
Kyova Interstate Planning Commission <i>TAC Meeting</i>	4/19/2011	Technical Advisory Council Meeting	May 13, 2011 10:00 AM TTA Conference Room 13th Street & 4th Avenue Huntington, WV
Lottery	5/3/2011	Add a section to the Table Games Minimum Internal Control Standards; Amend sections of the Table Games Minimum Internal Control Standards; License suspension/revocation of limited video lottery retailer locations; Approval of automated electronic table game; Approval of hardware/software of licensed or permitted video lottery terminal manufacturers; Set the agenda for the May 2011 monthly business meeting	May 12, 2011 12:00 PM Conference call at Lottery headquarters 312 MacCorkle Avenue Charleston, WV
McDowell County Day Report Center <i>Community Criminal Justice Board</i>	4/29/2011	Regular Meeting	May 12, 2011 12:00 PM McDowell County Day Report Center Conference Room, 2nd Floor McDowell County Commission Building
Medicine, Board of	4/25/2011	The general purpose of this meeting is to discuss and transact regular business of the West Virginia Board of Medicine, which includes licensure of medical doctors, podiatrists, and physician assistants, and discipline of medical doctors, podiatrists, and physician assistants.	May 16, 2011 9:00 AM Medicine, Board of 101 Dee Drive, Suite 103 Charleston, WV 25311
Medicine, Board of <i>Corporate Practice of Medicine Committee</i>	4/25/2011	The general purpose of this meeting is to discuss and transact regular business of the West Virginia Board of Medicine, which includes the corporate practice of medicine and the collaborative pharmacy practice.	May 16, 2011 8:30 AM Medicine, Board of 101 Dee Drive, Suite 103 Charleston, WV 25311
Medicine, Board of <i>Physician Assistant Committee</i>	4/25/2011	The general purpose of this meeting is to discuss and transact regular business of the West Virginia Board of Medicine, which includes licensure of physician assistants.	May 14, 2011 8:30 AM Medicine, Board of 101 Dee Drive, Suite 103 Charleston, WV 25311

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MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Medicine, Board of <i>Licensure Committee</i>	4/25/2011	The general purpose of this meeting is to discuss and transact regular business of the West Virginia Board of Medicine, which includes licensure of medical doctors and podiatrists.	May 14, 2011 10:00 AM Medicine, Board of 101 Dee Drive, Suite 103 Charleston, WV 25311
Medicine, Board of <i>Complaint Committee</i>	4/25/2011	The general purpose of this meeting is to discuss and transact regular business of the West Virginia Board of Medicine, which includes discipline of medical doctors, podiatrists, and physician assistants.	May 15, 2011 12:30 PM Medicine, Board of 101 Dee Drive, Suite 103 Charleston, WV 25311
Medicine, Board of <i>Legislative Committee</i>	4/25/2011	The general purpose of this meeting is to discuss and transact regular business of the West Virginia Board of Medicine, which includes legislative issues of the Board.	May 15, 2011 10:30 AM Medicine, Board of 101 Dee Drive, Suite 103 Charleston, WV 25311
Medicine, Board of <i>Executive/Management Committee</i>	4/25/2011	The general purpose of this meeting is to discuss and transact regular business of the West Virginia Board of Medicine.	May 15, 2011 11:30 AM Medicine, Board of 101 Dee Drive, Suite 103 Charleston, WV 25311
Medicine, Board of <i>Ad Hoc Personnel Committee</i>	4/25/2011	The purpose of this meeting is to approve the minutes of the last Ad Hoc Personnel Committee meeting held on April 7, 2011.	May 15, 2011 11:15 AM Medicine, Board of 101 Dee Drive, Suite 103 Charleston, WV 25311
Northern Panhandle Community Criminal Justice Board	5/2/2011	Regularly scheduled quarterly meeting. Agenda includes (1) Approval of February 16, 2011 Minutes; (2) Program Reports [Lee Day Report Center, Home Confinement, Community Service and Pretrial Release]; (3) FY 2012 Community Corrections Grant Application; (4) New Business and (5) Adjournment.	May 18, 2011 11:00 AM Pier 12 Restaurant 30 12th Street Wellsburg, WV 26070
Pierpont Community & Technical College <i>Board of Governor's</i>	12/2/2010	Conduct regular business for the Board of Governors	May 17, 2011 2:00 PM Falcon Center Board Room
Professional Engineers, WV State Bd. of Reg. for	12/2/2010	To conduct a regularly scheduled Board Meeting. An agenda will be available at least 3 business days prior to the meeting by contacting the Board office.	May 17, 2011 9:00 AM WV PE Board Office 300 Capitol Street - Suite 910 Charleston, WV 25301

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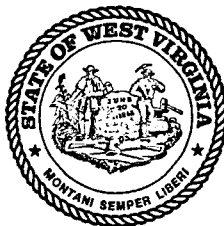
MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Public Defender - 25th Circuit	4/26/2011	Regular quarterly meeting	May 13, 2011 2:00 PM Public Defender Office 320 Main St Madison, WV 25130
Public Defender Corp for 6th and 24th <i>Board of Directors</i>	5/2/2011	Annual Meeting-Adoption of FY 2012 Contract with Public Defender Services, Review conditions at Wayne office and future plans, Adoption of Mickenberg and Hager Contracts for 2012, Executive Session on personnel issues.	May 17, 2011 5:00 PM Cabell County Public Defender Office 320 Ninth Street Huntington, WV 25701
Public Defender Corp. 7th <i>Board of Directors</i>	5/3/2011	1. Adopt minutes of previous meeting; 2. New Fiscal Budget; 3. Interns; 4. Hiring temporary help; 5. Personnel Matter	May 16, 2011 3:00 PM 404 Main Street-Side Entrance Logan, WV 25601
Public Defender Corp. 7th <i>Board of Directors</i>	5/3/2011	1. Adopt minutes of previous meeting; 2. New Fiscal Budget; 3. Interns; 4. Hiring temporary help; 5. Personnel Matter	May 16, 2011 3:00 PM 404 Main Street-Side Entrance Logan, WV 25601
Public Port Authority, WV DOT <i>Port Authority Board Meeting</i>	4/25/2011	To discuss port activities.	May 12, 2011 1:00 PM State Capitol Building Five Room 110
Racing Commission	4/26/2011	Racing Commission monthly meeting. Adgenda will be posted on our website at www.wvracingcommission.com	May 16, 2011 10:00 AM WV Lottery Conference Room 312 MacCorkle Avenue Charleston, WV
Registered Profsssional Nurses, WV Board of	5/3/2011	Emergency meeting to review the Mountain State University Curriculum Change Mandate.	May 9, 2011 10:00 AM Board Conference Room 101 Dee Drive, Suite 101 Charleston, WV 25311
Secretary of State <i>MOVE Act Solution Review Committee</i>	4/28/2011	Emergency Meeting to Organize the group, review the committee's purpose and scope, and plan for future meetings.	May 3, 2011 2:00 PM Conference Room of the West Virginia Secretary of State's Office
Southern West Virginia Community and Technical College <i>Board of Governors Presidential Evaluation Committee</i>	5/4/2011	To discuss the presidential evaluation process and review and/or revise the evaluation instrument used for the annual evaluation of the college president.	May 11, 2011 3:00 PM Southern WV Community and Technical College 2900 Dempsey Branch Road, Room 428, Building C Mount Gay, West Virginia and by teleconference.

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Surface Mine Board	4/18/2011	Meeting/Hearing -- Citizens of Fayette County, Appellant v. Department of Environmental Protection, Appellee and Frasure Creek Mining, Intervenor, Appeal No. 2011-01-SMB.	May 18, 2011 8:30 AM Department of Environmental Protection Office 601 57th Street Charleston, WV
Surface Mine Board	4/18/2011	Meeting/Hearing - Citizens of Fayette County, Appellants v. Department of Environmental Protection, Appellee and Frasure Creek Mining, Intervenor, Appeal No. 2011-01-SMB.	May 17, 2011 8:30 AM Department of Environmental Protection Office 601 57th Street Charleston, WV
West Virginia University Hospitals, Inc. <i>Investment Management Subcommittee</i>	4/25/2011	To discuss investment matters pertaining to West Virginia University Hospitals.	May 16, 2011 4:00 PM J.W. Ruby Boardroom Ruby Memorial Hospital Morgantown, WV
WorkForce West Virginia <i>Interagency Collaborative Team (ICT)</i>	*4/21/2011	Mandatory monthly ICT meeting.	April 28, 2011 9:00 AM MEETING LOCATION CHANGE - PLAZA EAST EXECUTIVE CONFERENCE ROOM
WV Department of Commerce, WV Department of <i>GIS Policy Council Meeting</i>	4/25/2011	Quarterly meeting	May 11, 2011 2:00 PM State Capitol Complex, Bldg. 6, 6th Floor, Conference Room 6A
WVU Parkersburg <i>Board of Governors Executive Committee</i>	4/21/2011	Regular Executive Committee Meeting to review Board agenda items/materials.	May 11, 2011 3:00 PM 300 Campus Drive Parkersburg, WV
WVU Parkersburg <i>Board of Governors Academic and Student Services Committee</i>	4/21/2011	Regular Meeting of the Academic and Student Services Committee. Updates provided on Academic programs, Workforce and Community Education programs, and Student Services activities.	May 11, 2011 4:00 PM 300 Campus Drive Parkersburg, WV
WVU Parkersburg <i>Board of Governors</i>	4/21/2011	Regular Board meeting. Items on the agenda include Budget update for 2010-2011, Rules of Engagement between WVU Parkersburg/WVU at Parkersburg Foundation, President's Annual Contract, Chief Executive Pay Plan, and Presidential Compensation Increase. A complete agenda will be posted online prior to the meeting at www.wvup.edu/board_of_governors .	May 11, 2011 5:45 PM 300 Campus Drive Parkersburg, WV
WVU Parkersburg <i>Board of Governors Administrative Services Committee</i>	4/21/2011	Regular meeting of the Administrative Services Committee to provide updates on facilities, finance, technology, and personnel.	May 11, 2011 4:00 PM 300 Campus Drive Parkersburg, WV

*This meeting was filed late and does not comply with the Open Governmental Proceedings Act

<u>PRICE LIST</u>		
<u>AGENCY</u>	<u>RULE/ORDER</u>	<u>AMOUNT</u>
Higher Education Policy Comm. (133-11)	Submission of Proposals for Academic Programs and the Monitoring and Discontinuance of Existing Programs	\$7.60



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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1. Agency Name, (Title and Series Number)
Column	2. Rule Title, Price and Type
Column	3. Date Notice of Public Hearing or Comment Period Filed
Column	4. Date of Public Hearing or Last Date Comments Will Be Received
Column	5. Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule)
Column	6. Date Agency Approved Legislative Rules Filed.
Column	7. Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee
Column	8. Legislative Action
Column	9. Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules
Column	10. Date Rule is Effective

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- Titles followed by an asterisk (**) indicate that the rule is in effect as an emergency
 - Emergency rules will not have a "Notice" date until the agency files one but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
 - If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)
 - If a particular step is not required by law for a particular rule, the "N/A" will appear in the excluded step column
 - Once a rule becomes effective & the effective date appears in Column 10, the rule will be removed from the monitor after the rule is distributed in the loose leaf version of the Code of State Rules

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
TITLE 3	BARBERS AND COSMETOLOGISTS
TITLE 7	PROFESSIONAL ENGINEERS
TITLE 10	LICENSED PRACTICAL NURSES
TITLE 11	MEDICINE
TITLE 13	OCCUPATIONAL THERAPY
TITLE 14	OPTOMETRY
TITLE 15	PHARMACY
TITLE 16	PHYSICAL THERAPY
TITLE 17	PSYCHOLOGISTS
TITLE 20	SANITARIANS
TITLE 24	OSTEOPATHY
TITLE 25	SOCIAL WORK EXAMINERS
TITLE 26	VETERINARY MEDICINE
TITLE 27	COUNSELING
TITLE 29	SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY
TITLE 33	OFFICE OF WASTE MANAGEMENT (FORMERLY PART OF TITLE 47)
TITLE 35	OFFICE OF OIL AND GAS
TITLE 36	COAL MINE HEALTH & SAFETY
TITLE 38	MINING & RECLAMATION
TITLE 42	LABOR
TITLE 45	OFFICE OF AIR QUALITY
TITLE 47	OFFICE OF WATER RESOURCES
TITLE 48	MINES TRAINING EDUCATION & CERTIFICATION
TITLE 56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE 58	NATURAL RESOURCES
TITLE 60	ENVIRONMENTAL PROTECTION, SECRETARY'S OFFICE
TITLE 61	AGRICULTURE
TITLE 63	CONSERVATION AGENCY
TITLE 64	HEALTH
TITLE 65	HEALTH CARE AUTHORITY
TITLE 69	HEALTH & HUMAN RESOURCES
TITLE 76	SENIOR SERVICES
TITLE 78	HUMAN SERVICES
TITLE 81	STATE POLICE
TITLE 82	CULTURE AND HISTORY
TITLE 85	WORKERS COMPENSATION BY THE INSURANCE COMMISSION
TITLE 86	VETERANS AFFAIRS
TITLE 87	FIRE COMMISSION
TITLE 90	CORRECTIONS
TITLE 91	MOTOR VEHICLES
TITLE 94	REGIONAL JAIL & CORRECTIONAL FACILITY AUTHORITY
TITLE 96	WORKFORCE WEST VIRGINIA
TITLE 110	TAX DEPARTMENT
TITLE 112	TREASURER
TITLE 113	HEALTH INSURANCE PLAN
TITLE 114	INSURANCE
TITLE 126	EDUCATION
TITLE 127	SECONDARY SCHOOLS ACTIVITIES COMM.
TITLE 133	HIGHER EDUCATION POLICY COMMISSION
TITLE 135	COMMUNITY & TECHNICAL COLLEGE EDUCATION
TITLE 143	PERSONNEL
TITLE 144	TOURISM
TITLE 146	STATE ELECTION COMMISSION
TITLE 148	ADMINISTRATION
TITLE 149	CRIME, DELINQUENCY AND CORRECTION
TITLE 150	PUBLIC SERVICE COMMISSION
TITLE 153	SECRETARY OF STATE
TITLE 157	DIVISION OF HIGHWAYS
TITLE 158	ETHICS COMMISSION
TITLE 162	CONSOLIDATED PUBLIC RETIREMENT BOARD
TITLE 172	STATE RAIL AUTHORITY
TITLE 175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE 176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE 177	ATHLETIC COMMISSION
TITLE 178	RACING COMMISSION
TITLE 179	LOTTERY
TITLE 184	PARKWAYS ECONOMIC DEV. & TOURISM AUTHORITY
TITLE 190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE 191	FAMILY PROTECTION SERVICES BOARD
TITLE 199	EXPLOSIVES & BLASTING
TITLE 204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY
TITLE 205	OUTDOOR HERITAGE CONSERVATION FUND
TITLE 207	COALFIELD COMMUNITY DEVELOPMENT
TITLE 210	GOHELP

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Agriculture (61-2)	West Virginia Apiary Law of 1991 \$4.40 Legislative	6/1/2010	7/1/2010	6/1/2010 Approved 7/8/2010	7/26/2010	Modified & Approved 9/13/2010 Filed 9/21/2010	SB 102 HB 2605 Bundled HB 2639		
Agriculture (61-6C)	General Groundwater Protection Rules for Fertilizers and Manures \$4.60 Legislative	6/1/2010	7/1/2010		7/12/2010	Approved 7/21/2010	SB 104 HB 2569 Bundled HB 2639		
Agriculture (61-16)	Inspection of Meat and Poultry \$4.80 Legislative	6/14/2010	7/14/2010		7/20/2010	Approved 8/10/2010	SB 103 HB 2568 Bundled HB 2639		
Air Quality (45-8)	Ambient Air Quality Standards \$16.90 Legislative	6/9/2010	7/12/2010		7/28/2010	Approved 1/9/2011	SB 114 HB 2580 Bundled SB 121		
Air Quality (45-14)	Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration \$11.60 Legislative	6/9/2010	7/12/2010		7/28/2010	Modified & Approved 1/10/2011 Filed 1/11/2011	SB 289 HB 2899 Bundled SB 121		
Air Quality (45-16)	Standards of Performance for New Stationary Sources \$13.70 Legislative	6/9/2010	7/12/2010		7/28/2010	Approved 1/9/2011	SB 115 HB 2576 Bundled SB 121		
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste \$9.80 Legislative	6/9/2010	7/12/2010		7/28/2010	Modified & Approved 1/9/2011 Filed 1/11/2011	SB 290 HB 2900 Bundled SB 121		
Air Quality (45-19)	Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution Which Cause or Contribute to Nonattainment \$14.30 Legislative	6/9/2010	7/12/2010		7/28/2010	Approved 1/9/2011	SB 117 HB 2577 Bundled SB 121		
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities \$14.40 Legislative	6/9/2010	7/12/2010		7/28/2010	Approved 1/9/2011	SB 118 HB 2578 Bundled SB 121		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-30)	Requirements for Operating Permits \$13.70 Legislative	1/11/2011	2/14/2011	12/21/2010 Effective 2/1/2011	3/16/2011				
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants \$21.70 Legislative	6/9/2010	7/12/2010		7/28/2010	Approved 1/9/2011	SB 119 HB 2579 Bundled SB 121		
Alcohol Beverage Control Comm. (175-1)	Licensed Retailer Operations \$6.40 Legislative	9/14/2009	10/15/2009	8/31/2009 Approved 10/8/2009	11/20/2009	Modified & Approved 1/9/2011 Filed 1/20/2011	SB 287 HB 2897 Bundled SB 177	5/2/2011	5/2/2011
Alcohol Beverage Control Comm. (175-5)	Licensing of Retail Outlets \$8.60 Legislative	9/14/2009 12/10/2009	10/15/2009 1/12/2010	8/31/2009 Approved 10/8/2009 Amendment 12/10/2009 Approved 12/14/2009	11/20/2009 2/22/2010	Modified & Approved 1/9/2011 Filed 1/19/2011	SB 288 HB 2898 Bundled SB 177	5/2/2011	5/2/2011
Barbers & Cosmetologists (3-1)	Procedures, Criteria and Curricula for Examination and Licensure of Barbers, Cosmetologists, Manicurists and Aestheticians \$6.00 Legislative	6/18/2010	7/22/2010		7/30/2010	Modified & Approved 10/11/2010 Filed 10/18/2010	SB 105 HB 2606 Bundled HB 2639		
Barbers & Cosmetologists (3-2)	Qualification Training, Examination of Licensure of Instructors \$4.00 Legislative	6/18/2010	7/22/2010		7/30/2010	Modified & Approved 10/11/2010 Filed 10/18/2010	SB 106 HB 2607 Bundled HB 2639		
Barbers & Cosmetologists (3-4)	Operational Standards for Schools of Barbering and Beauty Culture \$3.80 Legislative	6/18/2010	7/22/2010		7/30/2010	Modified & Approved 10/11/2010 Filed 10/18/2010	SB 107 HB 2608 Bundled HB 2639		
Barbers & Cosmetologists (3-6)	Schedule of Fees \$2.40 Legislative	5/10/2010	6/11/2010	4/27/2010 Withdrawn 5/10/2010 5/7/2010 Approved 5/14/2010	6/18/2010	Approved 10/11/2010 Filed 10/18/2010	SB 108 HB 2570 Bundled HB 2639		
Community & Technical College Ed. (135-11)	Degree Designation, General Education Requirements, New Program Approval and Discontinuance of Existing Programs \$5.80 Procedural	4/22/2011	5/22/2011						

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Community & Technical College Ed. (135-23)	Standards and Procedures for Undergraduate Admissions at Comm. & Tech. Colleges \$4.60 Procedural	10/29/2010	11/29/2010					4/22/2011	5/22/2011
Community & Technical College Ed. (135-27)	Workforce Development Initiative Program \$4.20 Legislative	4/22/2011	5/23/2011	4/22/2011 Effective 4/22/2011					
Community & Technical College Ed. (135-28)	Guidelines for Granting College Credit for Courses Under the WV EDGE, "Earn a Degree, Graduate Early" Program \$3.60 Procedural	4/22/2011	5/22/2011						
Consolidated Public Retirement Board (162-1)	General Provisions \$3.40 Legislative	5/7/2010	6/7/2010		7/22/2010	Approved 8/10/2010	SB 109 HB 2571 Bundled SB 112	4/25/2011	5/1/2011
Consolidated Public Retirement Board (162-3)	Teachers' Defined Contribution System \$3.60 Legislative	5/7/2010	6/7/2010		7/22/2010	Approved 8/10/2010	SB 110 HB 2572 Bundled SB 112	4/25/2011	5/1/2011
Consolidated Public Retirement Board (162-5)	Public Employees Retirement System \$3.80 Legislative	5/7/2010	6/7/2010	4/13/2010 Effective 5/25/2010	7/22/2010	Approved 8/10/2010	SB 111 HB 2573 Bundled SB 112	4/25/2011	4/25/2011
Consolidated Public Retirement Board (162-7)	Refund, Reinstatement, Retroactive Service, Loan and Employer Error Interest Factors \$3.60 Legislative	5/7/2010	6/7/2010		7/22/2010	Approved 8/10/2010	SB 112 HB 2574 Bundled SB 112	4/25/2011	5/1/2011
Consolidated Public Retirement Board (162-9)	West Virginia State Police \$3.80 Legislative	5/7/2010	6/7/2010	4/13/2010 Effective 5/25/2010	7/22/2010	Approved 8/10/2010	SB 113 HB 2575 Bundled SB 112	4/25/2011	4/25/2011
Corrections (90-8)	Fees for Electronic Monitoring of Offenders \$3.40 Legislative	4/11/2011	5/16/2011						
Crime, Delinquency and Correction (149-2)	Law Enforcement Training Standard \$8.00 Legislative	6/7/2010	7/15/2010		7/23/2010	Modified & Approved 10/11/2010 Filed 10/13/2010	SB 124 HB 2614 Bundled HB 2613	4/15/2011	7/10/2011

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-14)	WV Measures of Academic Progress (2340) \$10.00 Legislative Exempt	4/15/2011	5/16/2011						
Education (126-28)	West Virginia's Universal Access to a Quality Early Education System (2525) \$9.80 Procedural	4/15/2011	5/16/2011						
Education (126-42)	Assuring the Quality of Education: Regulations for Education Programs (2510) \$14.70 Legislative Exempt	4/15/2011	5/16/2011						
Ethics Commission (158-20)	Forms \$3.20 Legislative	4/13/2010	5/14/2010		6/24/2010	Modified & Approved 8/10/2010 Filed 8/20/2010	SB 123 HB 2612 Bundled SB 112	4/22/2011	5/1/2011
Health (64-3)	Public Water Systems \$4.00 Legislative	6/23/2010	7/23/2010		7/29/2010	Approved 11/16/2010	SB 129 HB 2583 Bundled SB 295	4/21/2011	4/21/2011
Health (64-43)	Food Manufacturing Facilities \$3.00 Legislative	6/10/2010	7/12/2010		7/29/2010	Modified & Approved 11/16/2010 Filed 1/3/2011	SB 130 HB 2617 Bundled SB 295	4/21/2011	4/21/2011
Health (64-44)	Fire Department Rapid Response Services Licensure \$4.40 Legislative	6/29/2010	7/29/2010		7/30/2010	Approved 1/10/2011	SB 131 HB 2584 Bundled SB 295	4/21/2011	4/21/2011
Health (64-48)	Emergency Medical Services \$12.70 Legislative	6/29/2010	7/29/2010		7/30/2010	Modified & Approved 1/10/2011 Filed 1/24/2011	SB 294 HB 2904 Bundled SB 295	4/21/2011	4/21/2011
Health (64-68)	Cancer Registry \$3.00 Legislative	6/23/2010	7/23/2010		7/29/2010	Approved 10/11/2010	SB 132 HB 2585 Bundled SB 295	4/21/2011	4/21/2011
Health (64-97)	Maternal Risk Screening \$2.60 Legislative	6/23/2010	7/23/2010		7/29/2010	Modified & Approved 10/11/2010 Filed 1/3/2011	SB 133 HB 2618 Bundled SB 295	4/21/2011	4/21/2011

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-98)	Safety and Treatment Program \$3.20 Legislative	6/30/2010	7/30/2010	6/30/2010 Approved 8/11/2010	7/30/2010	Modified & Approved 11/16/2010 Filed 12/3/2010	SB 295 Bundled SB 295 HB 2905		
Health (64-99)	Requirement for Licensure of Nonprofit Corporations for Conservation Service \$4.80 Legislative	6/30/2010	7/30/2010	6/30/2010 Approved 8/11/2010	7/30/2010	Modified & Approved 11/16/2010 Filed 12/3/2010	SB 126 HB 2615 Bundled SB 295		
Health Care Authority (65-7)	Certificate of Need Rule \$7.20 Legislative	6/15/2010	7/16/2010		7/28/2010	Modified & Approved 11/16/2010 Filed 12/8/2010	SB 127 HB 2616 Bundled SB 295	4/13/2011	4/13/2011
Higher Education Policy Comm. (133-11)	Submission of Proposals for Academic Programs and the Monitoring and Discontinuance of Existing Programs \$7.60 Procedural	5/3/2011	6/2/2011						
Insurance Commission (114-6)	Credit Life Insurance, Credit Accident and Sickness Insurance, and Credit Unemployment Insurance \$5.40 Legislative	6/15/2010	7/15/2010		7/27/2010	Modified & Approved 9/13/2010 Filed 9/28/2010	SB 142 HB 2623 Bundled SB 177		
Insurance Commission (114-11B)	Suitability in Annuity Transactions \$7.40 Legislative	6/15/2010	7/15/2010		7/29/2010	Approved 9/13/2010	SB 137 HB 2588 Bundled SB 177		
Insurance Commission (114-25)	Insurance Adjusters \$6.40 Legislative	6/15/2010	7/15/2010	6/15/2010 Withdrawn 7/15/2010	7/27/2010	Modified & Approved 10/11/2010 Filed 10/20/2010	SB 138 HB 2620 Bundled SB 177		
Insurance Commission (114-32)	Long-Term Care Insurance \$15.40 Legislative	6/11/2010	7/12/2010		7/29/2010	Modified & Approved 9/13/2010 Filed 9/28/2010	SB 139 HB 2621 Bundled SB 177		
Insurance Commission (114-41)	Actuarial Opinion and Memorandum Rule \$7.20 Legislative	6/11/2010	7/12/2010		7/27/2010	Approved 9/13/2010	SB 140 HB 2589 Bundled SB 177		

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Commission (114-41A)	Property and Casualty Actuarial Opinion \$3.00 Legislative	6/15/2010	7/15/2010	9/1/2010 Effective 10/13/2010	7/27/2010	Modified & Approved 11/16/2010 Filed 12/1/2010	SB 141 HB 2622 Bundled SB 177		
Insurance Commission (114-61)	Credit Personal Property \$6.00 Legislative	6/15/2010	7/15/2010		7/27/2010	Approved 9/13/2010	SB 143 Bundled SB 177 HB 2590		
Insurance Commission (114-65)	Self-Insurance Pools for Political Subdivisions \$4.80 Legislative	6/18/2010	7/18/2010		7/27/2010	Modified & Approved 11/16/2010 Filed 12/1/2010	SB 144 HB 2624 Bundled SB 177	4/19/2011	4/19/2011
Insurance Commission (114-68)	Valuation of Life Insurance Companies \$7.80 Legislative	6/11/2010	7/12/2010		7/27/2010	Approved 10/11/2010	SB 145 HB 2591 Bundled SB 177		
Insurance Commission (114-69A)	Recognition of Preferred Mortality Tables for Use in Determining Minimum Reserve Liabilities \$5.20 Legislative	6/11/2010	7/12/2010		7/27/2010	Approved 10/11/2010	SB 146 HB 2592 Bundled SB 177		
Insurance Commission (114-85)	Professional Employer Organizations \$5.60 Legislative	6/11/2010	7/12/2010	6/11/2010 Effective 7/23/2010	7/27/2010	Approved 10/11/2010	SB 147 HB 2593 Bundled SB 177		
Insurance Commission (114-91)	Health Maintenance Organization Point of Service Option \$6.60 Legislative	6/11/2010	7/12/2010		7/27/2010	Approved 11/16/2010	SB 148 HB 2594 Bundled SB 177		
Mining & Reclamation (38-2)	West Virginia Surface Mining Reclamation Rule \$31.50 Legislative	12/16/2009 6/10/2010	1/18/2010 7/13/2010	12/16/2009 Approved 12/23/2009	2/1/2010 7/30/2010	Modified with Certain Amendments & Approved 1/10/2011 Filed 1/18/2011	SB 292 HB 2902 Bundled SB 121		
Natural Resources (58-27)	Special Motorboating Regulations \$2.60 Legislative	5/4/2010	6/6/2010	4/13/2010 Effective 5/27/2010	6/29/2010	Modified & Approved 7/21/2010 Filed 7/28/2010	SB 154 HB 2629 Bundled HB 2626	4/20/2011	4/20/2011

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Natural Resources (58-47)	Prohibitions When Hunting and Trapping \$3.00 Legislative	6/15/2010	7/16/2010		7/22/2010	Approved 8/10/2010	SB 155 HB 2595 Bundled HB 2626	4/25/2011	4/25/2011
Natural Resources (58-49)	General Hunting \$3.00 Legislative	6/15/2010	7/16/2010		7/22/2010	Approved 8/10/2010	SB 156 HB 2596 Bundled HB 2626	4/25/2011	4/25/2011
Nursing Home Administrators Licensing Bd. (21-1)	Nursing Home Administrators \$6.40 Legislative	2/14/2011	3/16/2011		3/28/2011				
Optometry (14-1)	Rules of the WV Bd. of Optometry \$3.60 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 157 HB 2630 Bundled HB 2639		
Optometry (14-2)	Expanded Prescriptive Authority \$3.00 Legislative	6/25/2010	7/26/2010		7/30/2010	Filed 1/3/2011	SB 296 HB 2906 Bundled HB 2639		
Optometry (14-5)	Schedule of Fees \$2.60 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 159 HB 2632 Bundled HB 2639		
Optometry (14-6)	Examination and Scoring Policy \$2.60 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 160 HB 2633 Bundled HB 2639		
Optometry (14-8)	Licensure by Endorsement \$2.60 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 161 HB 2634 Bundled HB 2639		
Optometry (14-9)	Contact Lenses that Contain and Deliver Pharmaceutical Agents Certificate \$2.40 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 162 HB 2635 Bundled HB 2639		
Optometry (14-10)	Continuing Education \$2.80 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 158 HB 2631 Bundled HB 2639		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Optometry (14-11)	Injectable Pharmaceutical Agents Certificate \$3.20 Legislative	6/24/2010	7/23/2010		7/30/2010	Modified with certain amendments and approved 12/14/2010 Filed 12/23/2010	SB 297 HB 2907 Bundled HB 2639		
Osteopathy (24-2)	Osteopathic Physician Assistants \$5.00 Legislative	6/14/2010	7/14/2010	6/14/2010 Approved 7/8/2010 Amendment 11/10/2010 Approved 11/17/2010	7/30/2010	Modified & Approved 11/16/2010 Filed 11/29/2010	SB 163 HB 2636 Bundled HB 2639		
Osteopathy (24-5)	Fees for Services Rendered by the Bd. of Osteopathy \$2.60 Legislative	6/14/2010	7/14/2010		7/28/2010	Modified & Approved 11/16/2010 Filed 11/29/2010	SB 164 HB 2637 Bundled HB 2639		
Pharmacy (15-1)	Board of Pharmacy Rules Regarding Licensure and the Practice of Pharmacy \$13.80 Legislative	6/17/2010	7/18/2010		7/29/2010	Approved 11/16/2010	SB 165 HB 2597 Bundled HB 2639		
Pharmacy (15-8)	Controlled Substances Monitoring \$6.40 Legislative	6/17/2010	7/18/2010		7/29/2010	Approved 11/16/2010	SB 166 HB 2598 Bundled HB 2639		
Physical Therapy (16-1)	Supervision of a Physical Therapist Assistant \$13.80 Legislative	6/29/2010	7/29/2010	6/29/2010 Approved Section 8 only 7/14/2010 Amendment 11/5/2010 Approved Section 8 only 11/16/2010	7/30/2010	Modified & Approved 12/14/2010 Filed 12/21/2010	SB 167 HB 2638 Bundled HB 2639		
Physical Therapy (16-4)	Fees for Physical Therapist and Physical Therapist Assistant \$3.80 Legislative	6/29/2010	7/29/2010		7/30/2010	Approved 12/14/2010	SB 168 HB 2599 Bundled HB 2639		
Physical Therapy (16-5)	General Provisions for Athletic Trainers \$2.80 Legislative	6/29/2010	7/29/2010		7/30/2010	Modified & Approved 9/13/2010 Filed 9/20/2010	SB 169 HB 2639 Bundled HB 2639		

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Physical Therapy (16-6)	Fees for Athletic Trainers \$2.40 Legislative	6/29/2010	7/29/2010		7/30/2010	Modified & Approved 9/13/2010 Filed 9/20/2010	SB 170 HB 2640 Bundled HB 2639		
Professional Engineers, Bd. Of Reg. for (7-3)	Application of Engineering Seal \$3.20 Interpretive	4/14/2011	5/30/2011						
Public Service Commission (150-3)	Rules and Regulations for the Government of Electric Utilities \$13.40 Legislative Exempt	3/22/2011	4/21/2011						
Public Service Commission (150-8)	Rules and Regulations for the Government of Railroad Safety and Sanitation \$9.80 Legislative Exempt	3/31/2011	Hearing 6/2/2011 Written Comments 4/29/2011						
Public Service Commission (150-33)	Rules Governing Electric Utility Net Metering Arrangements and Interconnections \$14.30 Exempt Legislative	12/27/2010	1/26/2011						
Public Service Commission (150-35)	Rules Governing Innovative, Alternative Sewer Systems \$5.60 Legislative Exempt	2/9/2011	3/15/2011						
Racing Commission (178-1)	Thoroughbred Racing \$21.30 Legislative	6/7/2010	7/8/2010		7/27/2010	Modified & Approved 1/10/2011 Filed 1/20/2011	SB 298 HB 2908 Bundled SB 177	4/11/2011	7/10/2011
Racing Commission (178-2)	Greyhound Racing \$12.30 Legislative	6/29/2010	7/29/2010		7/30/2010	Modified & Approved 1/10/2011 Filed 1/20/2011	SB 299 HB 2909 Bundled SB 177	4/11/2011	7/10/2011
Racing Commission (178-5)	Pari-Mutuel Wagering \$14.20 Legislative	6/7/2010	7/8/2010		7/16/2010	Modified & Approved 1/10/2011 Filed 1/20/2011	SB 300 HB 2910 Bundled SB 177	4/11/2011	6/10/2011
Sanitarians, Bd. Of Reg. for (20-1)	Rules of Procedure for Contested Case Hearings and Declaratory Rulings \$3.40 Procedural	12/28/2010	1/28/2011					4/29/2011	5/30/2011

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Sanitarians, Bd. Of Reg. for (20-2)	Procedure for the Investigation and Resolution of Complaints \$3.00 Procedural	12/28/2010	1/28/2011					4/29/2011	5/30/2011
Sanitarians, Bd. Of Reg. for (20-3)	Interim Fee Schedule \$3.60 Legislative	6/17/2010	7/19/2010	5/18/2010 Effective 6/29/2010	7/29/2010	Approved 11/16/2010	SB 171 HB 2600 Bundled HB 2639		
Sanitarians, Bd. of Ref. for (20-4)	Rules Governing the Practice of Public Health Sanitation \$4.60 Legislative	6/23/2010	7/23/2010		7/29/2010	Approved 11/16/2010	SB 172 HB 2601 Bundled HB 2639		
Secretary of State (153-25)	Combined Voter Registration and Driver Licensing Fund \$4.60 Legislative	10/8/2010	11/8/2010		11/12/2010	Approved 1/9/2011	SB 173 HB 2602 Bundled HB 2639		
State Election Commission (146-5)	WV Supreme Court of Appeals Public Campaign Financing Pilot Program \$6.20 Legislative	6/18/2010	7/19/2010		7/29/2010	Modified & Approved 1/9/2011 Filed 1/14/2011	SB 293 HB 2903 Bundled HB 2639		
Tax Department (110-10D)	Use and Acceptance of Electronic Records \$4.20 Procedural	12/29/2010	1/31/2011					4/15/2011	5/16/2011
Tax Department (110-10F)	Payment of Taxes by Electronic Funds Transfer \$6.80 Legislative	1/26/2011	2/24/2011	12/29/2010 Approved 2/8/2011	4/21/2011				
Tax Department (110-13Q)	Commercial Patent Incentives Tax Credit \$4.20 Legislative	6/14/2010	7/15/2010		7/28/2010	Modified & Approved 10/11/2010 Filed 11/5/2010	SB 175 HB 2641 Bundled SB 177	4/21/2011	6/1/2011
Tax Department (110-50E)	Exchange of Information Agreement Between the State Tax Department and the WV Lottery \$2.40 Legislative	6/3/2010	7/6/2010		7/26/2010	Approved 10/11/2010	SB 176 HB 2604 Bundled SB 177	4/21/2011	6/1/2011
Tax Department (110-50F)	Exchange of Information Agreement Between the State Tax Department and the State Fire Marshal \$2.40 Legislative	6/3/2010	7/6/2010		7/26/2010	Modified & Approved 10/11/2010 Filed 11/5/2010	SB 177 HB 2642 Bundled SB 177	4/21/2011	6/1/2011

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Treasurer's Office (112-3)	Establishment of Imprest Funds \$2.80 Legislative	5/26/2010	6/28/2010		6/30/2010	Modified & Approved 7/21/2010 Filed 7/30/2010	SB 301 HB 2911 Bundled HB 2639		
Veterinary Medicine (26-1)	Organization and Operation and Licensing of Veterinarians \$5.60 Legislative	6/25/2010	7/26/2010		7/27/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 178 HB 2643 Bundled HB 2639		
Veterinary Medicine (26-3)	Registration of Veterinary Technicians \$4.20 Legislative	6/25/2010	7/26/2010		7/27/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 179 HB 2644 Bundled HB 2639		
Veterinary Medicine (26-4)	Standards of Practice \$5.80 Legislative	6/25/2010	7/26/2010		7/27/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 180 HB 2645 Bundled HB 2639		
Veterinary Medicine (26-5)	Certified Animal Euthanasia Technicians \$4.60 Legislative	6/25/2010	7/26/2010	6/25/2010 Effective 8/6/2010	7/27/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 181 HB 2646 Bundled HB 2639		
Veterinary Medicine (26-6)	Schedule of Fees \$2.80 Legislative	6/25/2010	7/26/2010		7/27/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 182 HB 2566 Bundled HB 2639		
Waste Management (33-20)	Hazardous Waste Management Rule \$7.00 Legislative	6/14/2010	7/15/2010		7/30/2010	Modified & Approved 9/13/2010 9/21/2010	SB 116 HB 2609 Bundled SB 121		
Water Resources (47-2)	Requirements Governing Water Quality Standards \$12.80 Legislative	3/3/2010 6/4/2010	4/1/2010 7/19/2010	3/3/2010 Approved 3/5/2010	6/4/2010 7/30/2010	Approved 1/10/2011	SB 122 HB 2581 Bundled SB 121		
Water Resources (47-10)	National Pollutant Discharge Elimination System (NPDES) System \$13.90 Legislative	Called up by 2011 Legislature					Bundled SB 121		

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Water Resources (47-12)	Requirements Governing Groundwater Standards \$3.20 Legislative	6/11/2010	7/15/2010		7/23/2010	Modified & Approved 9/13/2010 Bundled Filed 9/14/2010	SB 121 HB 2611 Bundled SB 121		
Water Resources (47-60)	Monitoring Well Design Standards \$8.40 Legislative	6/15/2010	7/15/2010		7/26/2010	Modified & Approved 9/13/2010 Bundled Filed 9/22/2010	SB 120 HB 2610 Bundled SB 121		
WorkForce West Virginia (96-3)	Employer Violator System \$3.00 Legislative	8/5/2009	9/7/2009	7/31/2009 Approved 8/24/2009 Amendment 9/28/2010 ERD by 11/9/2010 Expired 10/31/2010	9/24/2009	Modified & Approved 10/11/2010 Filed 10/18/2010	SB 183 HB 2567 Bundled HB 2626	4/13/2011	4/13/2011

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

Form #6

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LEGISLATIVE

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2011 MAY -2 PM 3:44
SECRETARY OF STATE

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: West Virginia Alcohol Beverage Control Administration TITLE NUMBER: 175

AMENDMENT TO AN EXISTING RULE: YES X NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Licensed Retailer Operations

IF NO, SERIES NUMBER OF RULE BEING PROPOSED:

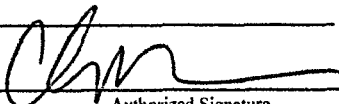
TITLE OF RULE BEING PROPOSED:

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) SB 177

SECTIONS 60-1-1, et seq., 60-3A-1, et seq., 60-3A-6 & 60-7-1, et seq. PASSED ON March 12, 2011

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE
FOLLOWING DATE: May 2, 2011


Authorized Signature

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

Form #6

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2011 MAY -2 PM 3:45
SECRETARY OF STATE

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: West Virginia Alcohol Beverage Control Administration TITLE NUMBER: 175

AMENDMENT TO AN EXISTING RULE: YES X NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 5

TITLE OF RULE BEING AMENDED: Licensing of Retail Outlets

IF NO, SERIES NUMBER OF RULE BEING PROPOSED:

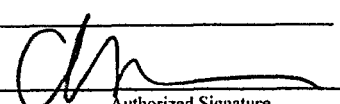
TITLE OF RULE BEING PROPOSED:

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) SB 177

SECTIONS 60-3A-1, et seq. PASSED ON March 12, 2011

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE
FOLLOWING DATE: May 2, 2011


Authorized Signature

66.40

68.60

LEGISLATIVE

Division of Corrections' Policy Directives Additions/Revisions

01 May 2011

2011 MAY -3 0110: 01

- | | | |
|----|-----------------------------|---|
| 1. | Policy Directive 308.08 | REVISED – Effective 01 May 2011 |
| 2. | Policy Directive 457.00 | REVISED – Effective 01 May 2011 |
| 3. | Policy Directive Index | Revised Alphabetical Listing
Pages 4 & 6 |
| 4. | Policy Directive Index | Revised Numerical Listing
Pages 10 & 19 |
| 5. | Policy Directive Index | Revised Numerical Listing – 300's
Page 2 |
| 6. | Policy Directive Index | Revised Numerical Listing – 400's
Page 5 |
| 7. | Policy Directive Book Index | Book #3 – Page 2 |
| 8. | Policy Directive Book Index | Book #4 – Page 5 |

file: PD050111

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

Form #2

Do Not Mark In This Box

2011 APR 29 PM 2:46

PROCEDURAL

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

Form #5

Do Not Mark In This Box

2011 APR 29 PM 12:21

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Higher Education Policy Commission TITLE NUMBER: 133

RULE TYPE: Procedural CITE AUTHORITY: W. Va. Code §18B-1-6 and 18B-1B-4

AMENDMENT TO AN EXISTING RULE: YES ☒ NO ☐

IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 11

TITLE OF RULE BEING AMENDED: Submission of Proposals for Academic Programs and the Monitoring and
Discontinuance of Existing Programs (This reflects a title change in the rule.)

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

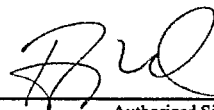
IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON June 2, 2011 AT 5:00 PM ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Higher Education Policy Commission

Attention: Dr. Brian Noland
Chancellor

1018 Kanawha Boulevard, East, Suite 700
Charleston, WV 25301

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.



Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: BOARD OF SANITARIANS TITLE NUMBER: 20

CITE AUTHORITY: WV CODE §§29A-4-1, 29A-5-1(a) and 30-17-6

RULE TYPE: PROCEDURAL ☒ INTERPRETIVE ☐

EXEMPT LEGISLATIVE RULE ☐

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW _____

AMENDMENT TO AN EXISTING RULE: YES ☒ NO ☐

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

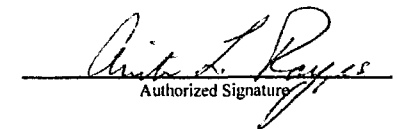
TITLE OF RULE BEING AMENDED: RULES OF PROCEDURE FOR CONTESTED CASE HEARING
AND DECLARATORY RULINGS

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE

EFFECTIVE DATE OF THIS RULE IS May 30 2011



Authorized Signature

57.60

153.40

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

Form #5

Do Not Mark In This Box

PROCEDURAL

2011 APR 29 PM 12:20

SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: BOARD OF SANITARIANS TITLE NUMBER: 20

CITE AUTHORITY: WV CODE §§ 30-1-8 and 30-17-15.

RULE TYPE: PROCEDURAL X INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE _____

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES X NO _____

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 2

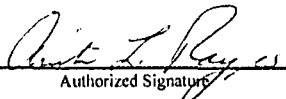
TITLE OF RULE BEING AMENDED: PROCEDURE FOR THE INVESTIGATION
AND RESOLUTION OF COMPLAINTS

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE

EFFECTIVE DATE OF THIS RULE IS May 30 2011


Authorized Signature

43.00

Orders Report

Docket Number	Agency	Respondent	Decision Date
08-8-8737-H	Health Care Authority	East Mountain Health Advantage, Inc.	4/26/2011
11-4-9369-A	Health Care Authority	Greenbrier Presidential Care, Inc.	4/29/2011
11-4-9369-A	Health Care Authority	Greenbrier Presidential Care Inc.	4/29/2011

Grievance Decisions

Docket #	Grievant	Respondent	Dec Date
2010-0704-MonED	Michelle Marshall	Monongalia Co BOE	4/18/2011
2010-0770-MonED	Gregory Keith Brock	Monongalia Co BOE	4/28/2011
2010-0903-CONS	Deborah Harless	Bureau for Children & Families	4/19/2011
2010-0903-CONS	Deborah Harless	DHHR	4/19/2011
2010-0903-CONS	Mischelle Arnold	Bureau for Children & Families	4/19/2011
2010-0903-CONS	Mischelle Arnold	DHHR	4/19/2011
2010-1299-BroED	Tina Marie Zago	Brooke Co BOE	4/18/2011
2010-1432-HanED	John J Pennacchio Jr	Hancock Co BOE	4/27/2011
2011-0997-CONS	Charles T Mendenhall	Bureau for Children & Families	4/26/2011
2011-0997-CONS	Charles T Mendenhall	DHHR	4/26/2011

COMMENT PERIOD EXTENSION – STATE WATER QUALITY STANDARDS

The WV Department of Environmental Protection has extended the comment period pertaining to the 2011 legislative revisions to 47CSR2, "Requirements Governing Water Quality Standards" Revisions made during the legislative session added language that addresses the critical design flow for determining effluent limits for carcinogens on the Ohio River between mile points 68.0 and 70.0.

The agency will accept written comments up to 5:00 pm on June 6, 2011. No comments will be accepted after that time. Written comments may be submitted to the following address:

Gloria Shaffer
Water Quality Standards Program
WV Department of Environmental Protection
601 57th Street SE
Charleston, WV 25304

Comments may also be e-mailed to dep.comments@wv.gov. Comments will be made a part of the rulemaking record. The 2011 legislative revised rule can be found on the agency website www.dep.wv.gov/wqs. Hardcopies of this information may also be obtained by calling Gloria Shaffer at (304) 926-0499, ext. 1033.

OTHER

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600

May 2, 2011

LEGAL NOTICE

James L. Pitolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending April 29, 2011.

APPLICATION FOR EXEMPTION RECEIVED

April 27, 2011 - ResCare, Inc., Louisville, Kentucky, CON File #11-7-9404-X, to acquire from the BU-Group Homes, Inc. the licensed operations of the two intermediate care facilities for the mentally retarded ("ICF-MRs") licensed to BU Group Homes, Inc., in Upshur County; capital expenditure: \$425,000.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

An application declared complete is one in which there is sufficient information for the Authority to make an informed decision. It does not mean that the approval of the application is warranted.

EXPEDITED APPLICATIONS

April 21, 2011 – Loved Ones In Home Care, South Charleston, Kanawha County, CON File #11-1/2/3/4/5/6/7-9353-PC, for the provision of in-home personal care services in Barbour, Braxton, Boone, Cabell, Calhoun, Clay, Doddridge, Fayette, Greenbrier, Gilmer, Harrison, Jackson, Kanawha, Lewis, Lincoln, Logan, Mason, Marion, McDowell, Mercer, Mingo, Monongalia, Monroe, Nicholas, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Tucker, Upshur, Wayne, Webster, Wirt, Wood, and Wyoming Counties; no capital expenditure.

April 27, 2011 – Ventas, Inc., Chicago, Illinois, CON File #11-1/2/3/4-9405-A, for the merger of a Ventas subsidiary with Nationwide Health Properties, Inc., in which Ventas will become the indirect owner of the land and building of four West Virginia nursing homes – Logan Center, Ravenswood Village, Valley Center and White Sulphur Springs Center; capital expenditure: \$50,200,000.

The review cycle for the above-referenced projects is as follows:

May 7, 2011 - Review cycle begins;

FILED
2011 MAY -2 PM 1:34
CLERK OF STATE

FILED
2011 MAY -3 PM 4:52
CLERK OF STATE

OTHER

May 17, 2011 - Last date for an affected person to present reasons why the applicant should complete a standard application to the Authority;

June 6, 2011 - Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of time and place will be given in the Saturday edition of the Charleston Gazette-Mail, as well as the State Register;

June 7, 2011 - If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority and no further contact with the Authority regarding the substance of the application will be permitted;

July 11, 2011 - Decision on the project will be issued by the Authority.

HEARING NOTICE

The Administrative Hearing and Prehearing Conference have been CANCELED in the following matter:

April 28, 2011 - Thomas Memorial Hospital, South Charleston, Kanawha County, CON File #10-3-9311-H, concerning the CON approval for therapeutic cardiac catheterization services.

ORDER ISSUED

April 29, 2011 - In the matter of Greenbrier Presidential Care, Inc., White Sulphur Springs, Greenbrier County, for the acquisition of The Greenbrier Clinic, Inc., it is ORDERED that the file be reopened to accept additional information and that the case file be closed immediately upon receipt of the information; capital expenditure: \$2,600,000.

CERTIFICATE OF NEED APPROVAL ISSUED

April 29, 2011 - In the matter of Greenbrier Presidential Care, Inc., White Sulphur Springs, Greenbrier County, for the acquisition of The Greenbrier Clinic, Inc., it is ORDERED that the project is APPROVED conditioned upon the submission of annual reports showing the actual utilization and revenue and expenses compared to the projections presented by the applicant in its application; capital expenditure: \$2,600,000.

NOTICE OF CONDITIONAL SUBSTANTIAL COMPLIANCE

The following project has been implemented in conditional substantial compliance pending the receipt of evidence indicating that it is in compliance with the remaining conditions:

April 26, 2011 – East Mountain Health Advantage, Inc., d/b/a Hampshire Memorial Hospital, Romney, Hampshire County, CON File #08-8-8737-H, for the construction of a replacement Critical Access Hospital located in Romney, Hampshire County; capital expenditure: \$35,508,196.

It is ORDERED that the Certificate of Need is GRANTED conditional substantial compliance pending submission of final cost figures.

Further information may be obtained on any of the above-referenced projects by contacting Timothy E. Adkins, Director, Certificate of Need Division.

Charleston Gazette-Mail May 2, 2011

Earl Ray Tomblin
Governor

Michael J. Lewis, M.D., Ph.D., Secretary
West Virginia Department of
Health and Human Resources



James L. Pitrolo, Jr.
Chairman

Board Members
Sonia D. Chambers
Marilyn G. White

OTHER

CC:

James W. Thomas
Jackson & Kelly
Post Office Box 553
Charleston, West Virginia 25322-0553

The Honorable Natalie Tennant
Secretary of State
State Capitol Complex
Charleston, WV 25305

Robert J. O'Neil
Dinsmore & Shohl
Post Office Box 11887
Charleston, West Virginia 25339-1887

Garrett Reporting Service
P.O. Box 20200
Charleston, WV 25362

In re:

THOMAS MEMORIAL HOSPITAL

CON File No. 10-3-9311-H

2011 MAY -3 PM 10:11
SECRETARY OF STATE

NOTICE OF CANCELLATION OF PREHEARING CONFERENCE AND ADMINISTRATIVE HEARING

PLEASE TAKE NOTICE that pursuant to Chapter 16, Article 2D, and to Chapter 29A, Article 5, of the West Virginia Code of 1931, as amended, James L. Pitrolo, Jr., Chairman of the WV Health Care Authority, wishes to announce that the proceedings previously scheduled for **May 6, 2011 at 1:30 p.m.** and **May 12, 2011 at 9:00 a.m.**, for the above-noted application **have been CANCELED**.

By letter dated April 26, 2011, Charleston Area Medical Center, by Counsel Robert J. O'Neil, withdrew its request for a hearing in this matter.

This application concerns the CON approval for therapeutic cardiac catheterization.

If you have questions concerning this matter, please contact Kay Myers, Analyst, Certificate of Need, at (304)558-7000.

Date: April 28, 2011

A handwritten signature of James L. Pitrolo, Jr. in black ink, written over a horizontal line.
James L. Pitrolo, Jr.
Chairman

Earl Ray Tomblin
Governor

Michael J. Lewis, M.D., Ph.D., Secretary
West Virginia Department of
Health and Human Resources



James L. Pitrolo, Jr.
Chairman

Board Members
Sonia D. Chambers
Marilyn G. White

OTHER

Earl Ray Tomblin
Governor

Michael J. Lewis, M.D., Ph.D., Secretary
West Virginia Department of
Health and Human Resources



James L. Pitrolo, Jr.
Chairman

Board Members
Sonia D. Chambers
Marilyn G. White

NOTICE

In re: **Beckley Appalachian Regional Hospital**
RR File No. HFY12-11-16-SR

The West Virginia Health Care Authority has received an application for a rate increase from Beckley Appalachian Regional Hospital, of Beckley, West Virginia. The hospital's application indicates an inpatient per discharge increase of 20% over projected actual and an outpatient per visit increase of 20% over projected actual to non-government payors over the previous year. Copies of the application are available to the public for inspection during normal working hours.

Any members of the public wishing to become affected parties or request a public hearing must file a written petition with the Authority no later than May 18, 2011, detailing reasons for objecting to the rate increase.

For further information, please contact Barbara Skeen, Director, Rate Review, telephone number 558-7000 or toll free 1-888-558-7002.

Date: April 27, 2011

James L. Pitrolo, Chairman

JLP:td

NOTICE

In re: **Princeton Community Hospital**
RR File No. HFY12-11-17-B

The West Virginia Health Care Authority has received an application for a rate increase from Princeton Community Hospital of Princeton, West Virginia. The hospital's application indicates an inpatient per discharge increase of 5.50% over projected actual and an outpatient per visit increase of 5.50% over projected actual to non-government payors over the previous year. Copies of the application are available to the public for inspection during normal working hours.

Any members of the public wishing to become affected parties or request a public hearing must file a written petition with the Authority no later than May 27, 2011, detailing reasons for objecting to the rate increase.

For further information, please contact Barbara Skeen, Director, Rate Review, telephone number 558-7000 or toll free 1-888-558-7002.

Date: April 29, 2011

James L. Pitrolo
Chairman

JLP:td

Earl Ray Tomblin
Governor

Michael J. Lewis, M.D., Ph.D., Secretary
West Virginia Department of
Health and Human Resources



James L. Pitrolo, Jr.
Chairman

2011 MAY -4 AM 10:58
Board Members
Sonia D. Chambers
Marilyn G. White

OTHER

Notice of Review
Page 2
May 2, 2011

NOTICE OF REVIEW

FOR IMMEDIATE RELEASE

May 2, 2011

NEWS ITEM

The Health Care Authority (Authority), James L. Pitrolo, Jr., Chairman, pursuant to the Certificate of Need program, has declared complete and accepted for review the expedited applications referenced below:

April 21, 2011 – Loved Ones In Home Care, South Charleston, Kanawha County, CON File #11-1/2/3/4/5/6/7-9353-PC, for the provision of in-home personal care services in Barbour, Braxton, Boone, Cabell, Calhoun, Clay, Doddridge, Fayette, Greenbrier, Gilmer, Harrison, Jackson, Kanawha, Lewis, Lincoln, Logan, Mason, Marion, McDowell, Mercer, Mingo, Monongalia, Monroe, Nicholas, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Tucker, Upshur, Wayne, Webster, Wirt, Wood, and Wyoming Counties; no capital expenditure.

April 27, 2011 - Ventas, Inc., Chicago, Illinois, CON File #11-1/2/3/4-9405-A, for the merger of a Ventas subsidiary with Nationwide Health Properties, Inc., in which Ventas will become the indirect owner of the land and building of four West Virginia nursing homes – Logan Center, Ravenswood Village, Valley Center and White Sulphur Springs Center; capital expenditure: \$50,200,000.

An application that has been declared complete is one in which there is sufficient information for the Authority to make an informed decision. It does not mean that the approval of the application is warranted.

On or before **May 17, 2011**, any affected person may present reasons to the Authority as to why the applicants of the projects should complete a standard application.

If the Authority concludes that the standard application should be used on any project, the review will be stopped and a new one begun using the standard application.

Also, by **June 6, 2011**, any affected person has the right to request that the Authority hold a public hearing on the projects as part of the review. If a public hearing is conducted during the course of the review, a "Notice of Public Hearing", specifying the date, time and location of the hearing, will be issued to affected persons.

If no public hearing is requested, the file closing date will be **June 7, 2011**. After that date, no further information or evidence will be accepted by the Authority for the remainder of the review of the applications, and no further contact with the Authority regarding the substance of the applications will be permitted.

The decisions on the projects referenced above will be issued by the Authority after it has reviewed the contents of the case files of the projects, including the applications, additional information submitted to the Authority during the review, and the record of any Authority public hearing. If there is no request for public hearing, the decisions will be issued on or before **July 11, 2011**.

A press release will be issued after the decisions are made. Anyone wishing to be directly notified of the decisions should submit a written request to Timothy E. Adkins, Director, Certificate of Need, Health Care Authority, 100 Dee Drive, Charleston, West Virginia, 25311-1600. Further information on any project referenced in this news release may be obtained by contacting the Certificate of Need office at telephone number (304) 558-7000.

5-2-11

Date

James L. Pitrolo, Jr., Chairman
Health Care Authority

OTHER

DISTRIBUTION

Brendan Skeen, Director of Operations
Loved Ones In Home Care

Raymona A. Kinneberg, Health Care Consultant
Bill J. Crouch & Associates, Inc.

The Honorable Natalie Tennant
Secretary of State

Dennis Garrison, Director, Consumer Advocacy Division
West Virginia Insurance Commission

James L. Pitrolo, Jr., Chairman
Health Care Authority

CON Analysts

JLP/VH/jc

jurisdiction of review May 2, 2011

THE FOLLOWING ARE PUBLICATION DATES OF THE STATE REGISTER FOR 2011

**DATES ARE THE DATES ALL FILINGS ARE TO BE RECEIVED IN THE
SECRETARY OF STATE'S OFFICE IN ORDER FOR THE MATERIAL TO APPEAR IN
THE STATE REGISTER PUBLISHED ON THE DATE LISTED.**

<u>Deadline Date</u>	<u>Publication Date</u>	<u>Meeting may be held on or after</u>	<u>Deadline Date</u>	<u>Publication Date</u>	<u>Meeting may be held on or after</u>
January 5, 2011	January 7, 2011	January 12, 2011	July 6, 2011	July 8, 2011	July 13, 2011
January 12, 2011	January 14, 2011	January 19, 2011	July 13, 2011	July 15, 2011	July 20, 2011
January 19, 2011	January 21, 2011	January 26, 2011	July 20, 2011	July 22, 2011	July 27, 2011
January 26, 2011	January 28, 2011	February 2, 2011	July 27, 2011	July 29, 2011	August 3, 2011
February 2, 2011	February 4, 2011	February 9, 2011	August 3, 2011	August 5, 2011	August 10, 2011
February 9, 2011	February 11, 2011	February 16, 2011	August 10, 2011	August 12, 2011	August 17, 2011
February 16, 2011	February 18, 2011	February 23, 2011	August 17, 2011	August 19, 2011	August 24, 2011
February 23, 2011	February 25, 2011	March 2, 2011	August 24, 2011	August 26, 2011	August 31, 2011
March 2, 2011	March 4, 2011	March 9, 2011	August 31, 2011	September 2, 2011	September 7, 2011
March 9, 2011	March 11, 2011	March 16, 2011	September 7, 2011	September 9, 2011	September 14, 2011
March 16, 2011	March 18, 2011	March 23, 2011	September 14, 2011	September 16, 2011	September 21, 2011
March 23, 2011	March 25, 2011	March 30, 2011	September 21, 2011	September 23, 2011	September 28, 2011
March 30, 2011	April 1, 2011	April 6, 2011	September 28, 2011	September 30, 2011	October 5, 2011
April 6, 2011	April 8, 2011	April 13, 2011	October 5, 2011	October 7, 2011	October 12, 2011
April 13, 2011	April 15, 2011	April 20, 2011	October 12, 2011	October 14, 2011	October 19, 2011
April 20, 2011	April 22, 2011	April 27, 2011	October 19, 2011	October 21, 2011	October 26, 2011
April 27, 2011	April 29, 2011	May 4, 2011	October 26, 2011	October 28, 2011	November 2, 2011
May 4, 2011	May 6, 2011	May 11, 2011	November 2, 2011	November 4, 2011	November 9, 2011
May 11, 2011	May 13, 2011	May 18, 2011	November 8, 2011	November 10, 2011	November 15, 2011
May 18, 2011	May 20, 2011	May 25, 2011	November 16, 2011	November 18, 2011	November 23, 2011
May 25, 2011	May 27, 2011	June 1, 2011	November 21, 2011	November 23, 2011	November 28, 2011
June 1, 2011	June 3, 2011	June 8, 2011	November 30, 2011	December 2, 2011	December 7, 2011
June 8, 2011	June 10, 2011	June 15, 2011	December 7, 2011	December 9, 2011	December 14, 2011
June 15, 2011	June 17, 2011	June 22, 2011	December 14, 2011	December 16, 2011	December 21, 2011
June 22, 2011	June 24, 2011	June 29, 2011	December 21, 2011	December 23, 2011	December 28, 2011
June 29, 2011	July 14, 2011	July 6, 2011	December 28, 2011	December 30, 2011	January 4, 2012